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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MELVIN SHIPMAN,

Plaintiff,

vs.

NAV-LVH CASINO, LLC dba WESTGATE
LAS VEGAS RESORT & CASINO, a Nevada
Limited Liability Company,

Defendant.

) CASE NO. 2:16-cv-02722-JCM-CWH
)
) STIPULATION AND REQUEST TO
) EXTEND DISCOVERY AND OTHER
) DEADLINES
)
) (Third Request)

COME NOW, Plaintiff, named above, by and through his counsel of record, MICHAEL P.
BALABAN, ESQ., and Defendant, named above, by and through its attorneys of record, MYRNA
L. MAYSONET, ESQ., CHERISH A BENEDICT, ESQ., and PHILLIP A. SILVESTRI, ESQ.,
pursuant to Local Rule 26-4, and herein stipulate, agree and make joint application to extend the

1 discovery cut-off and related dates for a period of ninety (90) days up to and including Monday,
2 April 30, 2018. The present discovery cut-off date is January 29, 2018, and no calendar call date
3 or trial date has been set.

4 This request is being made timely in accordance with LR 26-4 and the prior scheduling
5 Order, which provides that requests for further discovery extensions must be made no later than
6 twenty-one (21) days before the existing discovery cut-off date, or, here, by January 8, 2018. This
7 is the third request for an extension.

8 To date the parties have both made their initial disclosures to the other side and Defendant
9 has propounded written discovery to Plaintiff and Plaintiff has propounded written discovery to
10 Defendant. In addition, Defendant intends to depose Plaintiff, and Plaintiff intends to depose Kit
11 Quirante, Frank D'Agati, Dan Piccolo, Carolyn McKay, Rolando Betuicci, Robert Stubson and
12 Raymond Lujan, who are mostly former employees of Defendant and need to be located and
13 contacted. In addition, counsel for both parties have other cases before this Court, which involve
14 overlapping witnesses to some extent and, thus, the attorneys for both parties are coordinating the
15 scheduling of the depositions in such cases to minimize the burden on the witnesses and travel for
16 out-of-state counsel.

17 The parties and their attorneys have diligently worked to complete discovery as
18 expediently as possible and will continue to try to complete the remaining discovery in as
19 expedient a manner as possible.

20 Given the above, the parties request that the discovery period be extended as follows:

<u>Activity</u>	<u>Former Date</u>	<u>Requested Date</u>
Discovery Cut-Off Date	01/29/18	04/30/18
Dispositive Motions	02/26/18	05/29/18
Pretrial Order	03/28/18	06/26/18 ¹

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¹ Or 30 days after the decision on the last dispositive motion.

1 In accordance with LR 26-4 the parties understand that any further requests for discovery
2 extensions must be made no later than twenty-one (21) days before the new proposed discovery
3 cut-off date of April 30, 2018, or no later than twenty-one (21) days before any other deadline
4 sought to be extended.
5

6 DATED this 8th day of January, 2018.

7 Law Offices of Michael P. Balaban

Greenspoon Marder

8 /s/ Michael P. Balaban

/s/ Myrna L. Maysonet

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Attorneys for Defendant

25 IT IS SO ORDERED

26 
27 UNITED STATES MAGISTRATE
28 JUDGE

DATED: January 9, 2018